

COUNTERCLAIM EXHIBIT B

Case No. 2:21-cv-0811 TSZ

Bungie Privacy Statement

Last updated: January 1, 2020

1. Introduction.

For all purposes, this English language version of this Privacy Statement shall be the original, governing instrument and understanding of the parties. In the event of any conflict between this English language version of this Privacy Statement and any subsequent translation into any other language, this English language version shall govern and control.

The Bungie websites consisting of Bungie.com, Bungie.net, Careers.Bungie.com, BungieStore.com, and BungieFoundation.org (the “Bungie Web Sites”) are operated by Bungie Inc. (“Bungie,” “we,” or “us”) or its suppliers. We also provide applications for your mobile devices (“Bungie Mobile Apps”) through which we offer various services (the “Bungie Mobile Services”). Additionally, we make various online services available through our games (“Bungie Game Services”). Together, we will refer to the Bungie Mobile Services, Bungie Game Services, and Bungie Web Sites as the “Bungie Services” in this Privacy Statement.

In this Privacy Statement, “Personal Information” means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to an individual.

This Privacy Statement applies to the Bungie Services and describes how we collect, use, disclose and otherwise process Personal Information in the context of the Bungie Services as well as your rights and choices regarding such information. By using the Bungie Services, you consent to the data practices described in this Privacy Statement. This Privacy Statement is incorporated into and subject to the Terms of Use. Capitalized terms used but not defined in this Privacy Statement are defined in the Terms of Use.

If you have any questions or wish to exercise your rights and choices, please contact us as set out in the “Contact Us” section. If you are a California resident, Nevada resident, or data subject in Europe, please see the additional disclosures at the end of this Privacy Statement.

2. Information We Collect.

a. Information Provided by You.

We collect Personal Information that you provide through the Bungie Services. The categories of information we collect and have collected about you in the last 12 months include the following:

- **Contact Data**, including your first and last name, email address, postal address, and phone number.
- **Credentials**, including your password, password hints, and information for authentication and account access.

- **Demographic Data**, including your age and gender.
- **Billing Data**, including your payment instrument number (such as a credit or debit card number), expiration date, and security code associated with your payment instrument.
- **Profile Data**, including your platform ID, interests, favorites, purchase history, and gamer data.
- **Content**, including content within any messages you send to us (such as feedback and questions to customer support) or publicly post on the Bungie Services (such as in product reviews). We also collect content within any messages you exchange with other users through the Bungie Services (such as if you use our chat functionality).
- **Resume Data**, including your employment and education history, transcript, writing samples, and referral information.

We collect information from you at various points through the Bungie Services, including as follows:

- **Registration.** You may register for an account with one or more parts of the Bungie Services. Should you choose to register for an account, you will be asked to provide certain information such as your contact data, credentials, billing data, demographic data, and profile data.
- **Purchases.** When you make a purchase on the Bungie Services, we will collect your contact data and billing data.
- **Subscriptions and Promotions.** Should you choose to subscribe to our newsletters or enter a promotion, you may provide your contact data or other information.
- **Community Interaction.** If you post any information to the Bungie Services, including through your use of Bungie communities, forums, messaging functionality, or social or interactive features, we may collect such information.
- **Customer Service.** When you contact our customer service, we may collect your contact data, profile data, as well as content and any other information you choose to provide to us.
- **Business Partners.** If you work for one of our business partners, we may collect your contact data to manage the business relationship.
- **Job Application.** If you apply for a job with us, we may collect your resume data as well as any other information you choose to provide to us.

b. Information We Automatically Collect.

In addition to information that you provide to us, we collect Personal Information about you and your use of the Bungie Services via automated means, such as through cookies, web beacons and similar technologies:

- **Cookies.** A “cookie” is a text file that is placed on your device by a web server that acts as a unique tag to identify your browser. We use two types of cookies: session cookies and persistent cookies. Session cookies make it easier for you to navigate our website and expire when you close your browser. Persistent cookies help with personalizing your experience, remembering your preferences, and supporting security features. Additionally, persistent cookies allow us to bring you advertising both on and off the Bungie Services. Persistent cookies may remain on your device for extended periods of time, and generally may be controlled through your browser settings. For further information on cookies, please review our [Cookie Policy](#).
- **Pixels** (also known as web beacons). Web pages and other content (such as videos, emails, and advertisements) may contain pieces of code that send information about your use to a server. There are various types of pixels, including image pixels (which are small graphic images) and JavaScript pixels (which contains JavaScript code). When you access a website, video, email, or advertisement that contains a pixel, the pixel may permit us or another entity to drop or read cookies on your browser. Pixels are used in combination with cookies to track activity by a particular browser on a particular device. We may incorporate pixels that allow us track our conversions, bring you advertising both on and off the Bungie Services, and provide you with additional functionality.
- **App Technologies.** We include technologies in our apps that are not browser-based like cookies and cannot be controlled by browser settings. For example, our apps may include SDKs, which is code that sends information about your use to a server. These SDKs allow us track our conversions, bring you advertising both on and off the Service, and provide you with additional functionality.

The categories of information we automatically collect and have automatically collected in the last 12 months include:

- **Bungie Services Use Data**, including information about your use of the Bungie Services, the pages and content that you view, the referring and exiting pages, your access times, the links you click, and other actions taken within the Bungie Services.
- **Device Data**, including information regarding your device, such as device type, operating system type, browser type, device regional and language settings, IP address, and device ID (such as IDFA or AAID).
- **Location Data**, including imprecise location (location based on your IP address or data that indicates a city or postal level).

For further information on how we use tracking technologies for analytics and advertising, and your rights and choices regarding them, see the “Analytics and Advertising” and “Your Rights and Choices” sections below.

c. Personal Information Obtained from Other Sources.

We also collect information from other sources. The categories of other sources from which we collect and have collected information in the last 12 months include the following:

- **Business Partners.** We collect information from our business partners in connection with offering co-branded services, selling or distributing our products, or engaging in joint marketing activities. For example, we collect information when you log into the Bungie Services via partner platforms (such as Xbox Live, Google Stadia, Steam, or the PlayStation Network) or when you link a partner platform to your Bungie account. You should review the privacy policies and privacy settings of any partner platforms you use for information on their data practices and your choices for managing the information they send to us. We are not responsible for the data practices of our business partners.
- **Community Developers.** We collect information from developers who use our API.
- **Social Networks.** We collect information when you engage with our content, reference our services, or grant us permission to access information from the social networks.
- **Vendors and Other Parties.** We collect information from vendors and other parties in connection with advertising and analytics-related services.
- **Publicly-Available Sources.** We collect information from the public domain.

3. Use of Information.

Bungie collects and uses your Personal Information for business and commercial purposes in accordance with the practices described in this Privacy Statement. Our business purposes for collecting and using information, including in the last 12 months, include:

- to operate and provide you with the Bungie Services, including by creating and managing your accounts and delivering the items and services you have requested;
- to communicate with you and respond to your inquiries;
- for our service providers to process your payments for purchases made on the Bungie Services;
- to enhance, improve, and maintain the Bungie Services, our games, and our other systems, resources, and products;
- to send you marketing communications and to advertise to you on our website and on other websites;
- to perform data analysis;
- to process your job application;
- to manage our business relationship;

- to prevent fraudulent use of the Bungie Services;
- to enforce our Terms of Use, our legal rights and to comply with applicable law, judicial proceeding, court order, or legal process, an order from a government entity or from another competent authority;
- to prevent or address potential or actual injury or interference with our rights, property, operations, users or others who may be harmed or may suffer loss or damage;
- to maintain a record of our dealings with you;
- to analyze your preferences, interests and behavior in order to provide you with tailored content and the most relevant Bungie Services, content, experience, advertisements and communications, including by combining information we collect about you from different sources described above;
- to fulfill any other business or commercial purpose at your direction, such as linking your Xbox Live platform ID so that your experience can be personalized and to gain access to additional features; and
- for other purposes for which we provide specific notice at the time of the collection of the information or with your consent.

Here are a few examples of how we use your information:

- When you subscribe to communications that we provide, we use your email address to send you the communications you have requested.
- If you choose to enter your name and postal address when you register an account, and indicate in your profile that you are interested in hearing about our news and promotions, we may use that information for future mailings from us about Bungie news and promotions.
- We use information that we collect to deliver customized content and advertising to users located in a particular geographic region, or whose behavior, preferences, or characteristics indicates that they may be interested in a particular subject area.
- If you choose to connect your Bungie account with your account on another platform, we may send push notices via that platform to you and your friends for purposes including keeping you informed about comments from friends and providing updates, such as about in-game status, in-game achievements and invitations.

Notwithstanding the above, we may use information that does not identify you (including information that has been aggregated or de-identified) for any purpose except as prohibited by applicable law. For information on your rights and choices regarding how we use information about you, please see the “Your Rights and Choices” section below.

4. Disclosure of Information.

We share the Personal Information we collect about you in accordance with the practices described in this Privacy Statement. The types of entities to whom we have disclosed information in the last 12 months or may disclose information include the following:

- **Bungie.** We share information with our affiliates and subsidiaries.

- **Service Providers.** We share information with other companies that provide services on our behalf, such as sending newsletters, processing your payments, answering customer questions, providing technical support, fulfilling requests, hosting our services, performing statistical analysis, and helping with marketing and advertising. We endeavor to limit the information we provide to those companies to the information they need to deliver the service, and they are prohibited from using that information for any other purpose, although we may permit them to use information that does not identify you (including information that has been aggregated or de-identified) for any purpose except as prohibited by applicable law.
- **Vendors and Other Parties.** We share information with vendors and other parties in connection with advertising and analytics-related services. Vendors and other parties may act as our service providers, or in certain contexts, independently decide how to process your information. For more information on advertising and analytics, see the “Advertising and Analytics” section below.
- **Business Partners.** We share information with our business partners in connection with offering co-branded services, selling or distributing our products, or engaging in joint marketing activities. For example, we share information when you log into the Bungie Services via partner platforms (such as Xbox Live, Google Stadia, Steam, or the PlayStation Network) or when you link a partner platform to your Bungie account. You should review the privacy policies and privacy settings of any partner platforms you use for information on their data practices and your choices for managing the information they process. We are not responsible for the data practices of our business partners.
- **Promotions.** If you voluntarily enter a sweepstakes, contest, or other promotion, we share information as set out in the official rules that govern the promotion as well as for administrative purposes and as required by law (e.g., on a winners list). By entering a promotion, you agree to the official rules that govern that promotion, and may, except where prohibited by applicable law, allow the sponsor and/or other entities to use your name, voice and/or likeness in advertising or marketing materials.
- **Other Users.** We share information with other users of the Bungie Services to whom you disclose your information. We recommend you be cautious in giving out information to others while using the Bungie Services. For example:
 - If you connect your Bungie account with your Xbox Live account, your platform ID, nicknames and statistics such as high scores, may be displayed on Bungie.net and your online presence will be visible to those on your Xbox Live friends list.
 - If you disclose information through the Bungie Services, communities, forums, messaging functionality, or social or interactive features that may be provided through the Bungie Services, this information may be collected, used, and disclosed by others, and Bungie has no control over how others may collect, use, or disclose such information.
 - Bungie.net allows you to customize the way your player profile appears to other users, such as by choosing not to display your activity feed on the website. However, your presence in a game at a given time may still be inferred by other means, such as when

users look up who else was in their game session, or on other sites that index all game sessions by player.

- **Community Developers.** We share information with community developers through our application programming interface (API) in order to allow them to create applications for purposes such as matchmaking support, stat or performance tracking, or equipment management and comparison. Community developer use of your information is subject to the API restrictions in our **Terms of Use**.
- **Security and Compelled Disclosure.** We share information to (a) comply with legal process served on us, or our suppliers, and otherwise when we have a good faith belief that doing so is required by law; (b) protect and defend our rights or property or those of our suppliers; (c) protect the personal safety of our employees or agents, users of Bungie products or services, or members of the public, or (d) protect the integrity of the online community on the Bungie Services and games.
- **Merger or Acquisition.** We may share information as part of any merger, acquisition, or sale of company assets, as well as in the unlikely event of an insolvency, bankruptcy or receivership in which information would be transferred as one of Bungie's business assets.
- **Facilitating Requests.** We share information at your request or direction, such as when you choose to share information with a social network about your activities on the Bungie Services.
- **Consent.** We share information with notice to you and your consent.

Notwithstanding the above, we may share information that does not identify you (including information that has been aggregated or de-identified) except as prohibited by applicable law. For information on your rights and choices regarding how we share information about you, please see the "Your Rights and Choices" section below.

5. Other Services.

We offer parts of the Bungie Services through websites, platforms, and services operated or controlled by separate entities. In addition, we integrate links and technologies operated or controlled by separate entities into parts of the Bungie Services. Please note that when you interact with other entities, including when you leave the Bungie Services, those entities may independently collect information about you and solicit information from you. The information collected and stored by those entities remains subject to their own policies and practices, including what information they share with us, your rights and choices on their services and devices, and whether they store information in the U.S. or elsewhere. We encourage you to familiarize yourself with and consult their privacy policies and terms of use.

6. Analytics and Advertising.

We use analytics services, such as Google Analytics, to help us understand how users access and use the Bungie Services. In addition, we work with agencies, advertisers, ad networks, and other technology services to place ads for our products and services on other websites and services. For example, we place ads through Google and Facebook that you may view on their platforms as well as on other websites and services.

As part of this process, we may incorporate tracking technologies into the Bungie Services (including our website and emails) as well as into our ads displayed on other websites and services. Some of these tracking technologies may track your activities across time and services for purposes of associating the different devices you use, and delivering relevant ads and/or other content to you (“**Interest-based Advertising**”).

We also use audience matching services to reach people (or people similar to people) who have visited the Bungie Services or are identified in one or more of our databases (“**Matched Ads**”). This is done by us uploading a customer list to a technology service or incorporating a pixel from a technology service into the Bungie Services, and the technology service matching common factors between our data and their data. For instance, we incorporate the Facebook pixel on the Bungie Services and may share your email address with Facebook as part of our use of Facebook Custom Audiences.

As indicated above, vendors and other parties may act as our service providers, or in certain contexts, independently decide how to process your information. We encourage you to familiarize yourself with and consult their privacy policies and terms of use.

For further information on the types of tracking technologies we use on the Service and your rights and choices regarding analytics, Interest-based Advertising, and Matched Ads, please see the “Information Collected Automatically” and “Your Rights and Choices” sections.

7. Your Rights and Choices.

a. Account Information.

You may maintain accounts on various parts of the Bungie Services, including at Bungie.com, Bungie.net, Careers.Bungie.com, BungieStore.com, and BungieFoundation.org. Each account requires a separate registration, although we may share information among your accounts.

If you want to access, update, or remove the information you have provided to us through an account, please log-in to the applicable account and visit your account settings. Alternatively, you may contact us as set out in the “Contact Us” section. When you contact us, please specify the request and whether you want the request to apply to a specific account or all your accounts. We may require additional information from you to allow us to confirm your identity. Please note that we will retain and use information about you as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

You may have additional options within certain of your accounts, such as linking your account with a partner platform or sharing your information through our API. Please visit your account settings for details.

b. Communications.

If you receive promotional emails from us, you may unsubscribe at any time by following the instructions contained within the emails that we send. If you have a Bungie account, you may unsubscribe from one or more categories of promotional emails by logging in to your Bungie account and de-selecting those categories of emails that you no longer wish to receive. You may also opt-out from receiving promotional emails from us by contacting us as set out in the “Contact Us” section below and specifying you wish to opt-out of promotional emails. Even if you opt-out, you may still receive transactional emails from us regarding your Bungie accounts, important updates to the Bungie Services, technical service issues, and other administrative matters pertaining to the Bungie Services.

If you have opted-in to receive push notification on your device, you can opt-out at any time by adjusting the permissions in your device.

Please note that your opt-out is limited to the email address or device used and will not affect subsequent subscriptions.

c. Tracking Technology Choices.

You have the ability to accept or decline cookies subject to your browser settings and limitations. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of the Bungie Services or the other websites you visit.

Please note that, unless and until the law is interpreted to require us to do so, Bungie does not process or respond to web browser “Do Not Track” signals or other similar transmissions that indicate a request to disable online tracking of users who use or visit the Bungie Services. For more information on “Do Not Track,” visit <http://www.allaboutdnt.com>.

You can stop all collection of information via an app by uninstalling the app. You can also reset your device Ad Id at any time through your device settings, which is designed to allow you to limit the use of information collected about you. Please be aware that resetting your Ad ID may result in parts of the Bungie Services not functioning correctly.

d. Analytics and Interest-Based Advertising.

Google provides tools to allow you to opt out of the use of certain information collected by Google Analytics at <https://tools.google.com/dlpage/gaoptout> and by Google Analytics for Display Advertising or the Google Display Network at <https://www.google.com/settings/ads/onweb/>.

The companies we work with to provide you with targeted ads are required by us to give you the choice to opt out of receiving targeted ads. Most of these companies are participants of the Digital

Advertising Alliance (“DAA”) and/or the Network Advertising Initiative (“NAI”). To learn more about the targeted ads provided by these companies, and how to opt out of receiving certain targeted ads from them, please visit: (i) for website targeted ads from DAA participants, <https://www.aboutads.info/choices>; (ii) for app targeted ads from DAA participants, <https://www.aboutads.info/appchoices>; and (iii) for targeted ads from NAI participants, <https://www.networkadvertising.org/choices/>. Opting out only means that the selected participants should no longer deliver certain targeted ads to you, but does not mean you will no longer receive any targeted content and/or ads (e.g., in connection with the participants’ other customers or from other technology services).

To opt out of us using your data for Matched Ads, please contact us as set out in the “Contact Us” section below and specify that you wish to opt out of Matched Ads. We will request that the applicable technology service not serve you matched ads based on information we provide to it. Alternatively, you may directly contact the applicable technology service to opt out.

You may also limit our use of information collected from or about your mobile device for purposes of serving targeted ads to you by going to your device settings and selecting “Limit Ad Tracking” (for iOS devices) or “Opt out of Interest-Based Ads” (for Android devices).

Please note that if you opt out using any of these methods, the opt out will only apply to the specific browser or device from which you opt out. We are not responsible for the effectiveness of, or compliance with, any opt out options or programs, or the accuracy of any company statements regarding their opt out options or programs.

8. Security.

We implement technical and organizational measures designed to ensure a level of security appropriate to the risk. We use a variety of security technologies and procedures to help protect your information from unauthorized access, use, or disclosure. For example, we store the information you provide on computer servers with access restrictions that are located in controlled facilities.

If you choose to create an account through certain parts of the Bungie Services, you will be required to select a password. This password can be changed once you have logged into the service. It is your responsibility to keep your password confidential. Do not share this information with anyone. If you are sharing a computer with anyone you should always choose to log out before leaving the Bungie Services to help protect access to your information from subsequent users.

Please be aware that despite our security measures, no data transmissions over the Internet can be guaranteed to be completely secure. We cannot, therefore, ensure or warrant the security of any information you transmit to Bungie, and you do so at your own risk.

9. Data Retention.

We take measures to delete your information or aggregate or de-identify your information when it is no longer necessary for the purposes for which we collected it, unless we are required to keep this information for a longer period in accordance with this Privacy Statement. When determining the retention period, we take into account various criteria, such as maintaining access to products you have purchased, the type of products and services requested by or provided to you, the nature and length of our relationship with you, possible re-enrollment with our products or services, the impact on the services we provide to you if we delete some information from or about you, mandatory retention periods provided by law, and the statute of limitations.

10. Changes to this Privacy Statement.

We may occasionally update this Privacy Statement. When we do, we will also revise the “last updated” date at the top of the Privacy Statement. For material changes to this Privacy Statement, we will notify you by placing prominent notice on the Bungie Services and may provide you additional notice to your email address. We encourage you to periodically review this Privacy Statement to be informed of how we are collecting, using, and disclosing your information.

11. International Data Transfers.

The Bungie Services are based in the United States, and we provide the Bungie Services subject to law in the United States. If you use the Bungie Services from Europe or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer your information to countries other than the country where you are located, including to the United States. By using the Bungie Services, you consent to the transfer of your information to the United States and to other world regions, and the use of your information in accordance with this Privacy Statement.

12. Children’s Privacy.

Bungie does not knowingly collect personal information (as defined by the U.S. Children’s Privacy Protection Act, or “COPPA”) from children under 13 years of age in a manner not permitted by COPPA. If Bungie learns that personal information of a child under the age of 13 years has been collected on the Bungie Services without verifiable parental consent, then Bungie will take the appropriate steps to delete this information.

If you are a parent or legal guardian and discover that your child under the age of 13 has obtained a Bungie account or otherwise provided personal information to us, please contact us as set out in the “Contact Us” section below and request that we delete that child’s personal information.

13. Contact Us.

If you have any questions or comments regarding this Privacy Statement or require additional information, please contact us:

By email: privacyrequests@bungie.com

By mail:

Privacy Requests
Bungie, Inc.
550 106th Avenue NE
Suite 207
Bellevue, WA 98004-5088

If you have a disability and would like to access this Privacy Statement in an alternative format, please contact us at privacyrequests@bungie.com.

14. Additional Disclosures for California Residents.

These additional disclosures apply only to California residents. The California Consumer Privacy Act of 2018 (“CCPA”) provides additional rights to know, delete and opt out, and requires businesses collecting or disclosing personal information to provide notices and means to exercise rights.

a. Notice of Collection.

In the past 12 months, we have collected the following categories of personal information enumerated in the CCPA:

- **Identifiers**, including name, alias, postal address, email address, phone number, account name, IP address, and other similar identifiers.
- **Demographic information**, including your age and gender.
- **Commercial information**, including purchases and engagement with the Bungie Services.
- **Internet activity**, including browsing history, search history and information regarding your interactions with the Bungie Services.
- **Geolocation data**.
- **Employment and education data**, including employment and education history, transcript, writing samples, and referral information.
- **Inferences**, including information about your interests, preferences and favorites.

For more details on the personal information we collect, including the sources we receive personal information from, review the “Information We Collect” section above. We collect and

use these categories of personal information for the business purposes described in the “Use of Information” section above, including to provide and manage the Bungie Services.

Under no circumstances will Bungie sell your information as the term “sell” is traditionally understood. However, to the extent “sale” under the CCPA is interpreted to include any of the activities disclosed in this Privacy Statement, such as those disclosed in the “Analytics and Advertising” section above, we will comply with applicable law as to such activity. Bungie discloses the following categories of personal information for commercial purposes: identifiers, demographic information, commercial information, internet activity, geolocation data and inferences. We use and partner with different types of entities to assist with our daily operations and manage the Bungie Services. Please review the “Disclosure of Information” section above for more details about the parties we have shared personal information with.

b. Right to Know and Delete.

If you are a California resident, you have the rights to delete the personal information we have collected from you and know certain information about our data practices in the preceding 12 months. In particular, you have the right to request the following from us:

- The categories of personal information we have collected about you;
- The categories of sources from which the personal information was collected;
- The categories of personal information about you we disclosed for a business purpose or sold;
- The categories of third parties to whom the personal information was disclosed for a business purpose or sold;
- The business or commercial purpose for collecting or selling the personal information; and
- The specific pieces of personal information we have collected about you.

To exercise any of these rights, please submit a request through our webform located at <https://www.bungie.net/privacy> or call our toll free number at 1-866-I-OPT-OUT and entering Service Code 293. In the request, please specify which right you are seeking to exercise and the scope of the request. We will confirm receipt of your request within 10 days. We may require specific information from you to help us verify your identity and process your request. If we are unable to verify your identity, we may deny your requests to know or delete.

c. Right to Opt-Out.

To the extent Bungie sells your personal information as the term “sell” is defined under the CCPA, you have the right to opt-out of the sale of your personal information by us to third parties at any time. You may submit a request to opt-out through our webform located at <https://www.bungie.net/privacy>. You may also submit a request to opt-out by calling our toll-free number at 1-866-I-OPT-OUT and entering Service Code 293.

d. Authorized Agent.

You can designate an authorized agent to submit requests on your behalf. However, we will require written proof of the agent's permission to do so and verify your identity directly.

e. Right to Non-Discrimination.

You have the right not to receive discriminatory treatment by us for the exercise of any your rights.

f. Minors.

We do not knowingly "sell" the personal information of minors under 16 years old who are California residents without their affirmative authorization.

If you are a California resident under 18 years old and have registered to use the Bungie Services, you can ask us to remove any content or information you have posted on the Bungie Services. To make a request, email us at the email address set out in "Contact Us" section above with "California Under 18 Content Removal Request" in the subject line, and tell us what you want removed. We will make reasonable good faith efforts to remove the post from prospective public view, although we cannot ensure the complete or comprehensive removal of the content and may retain the content as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

g. Shine the Light.

Customers who are residents of California have the right to request a disclosure describing the categories of personal information we have shared with third parties for their direct marketing purposes, and with whom we have shared it, during the preceding calendar year. You may request a copy of that disclosure by contacting us as set out in the "Contact Us" section above and specifying that you are making a "California Shine the Light Request." We may require additional information from you to allow us to verify your identity and are only required to respond to requests once during any calendar year.

15. Additional Disclosures for Nevada Residents.

Nevada law (NRS 603A.340) requires each business to establish a designated request address where Nevada consumers may submit requests directing the business not to sell certain kinds of personal information that the business has collected or will collect about the consumer. A sale under Nevada law is the exchange of personal information for monetary consideration by the business to a third party for the third party to license or sell the personal information to other third parties. If you are a Nevada consumer and wish to submit a request relating to our compliance with Nevada law, please contact us as at privacyrequests@bungie.com.

16. Additional Disclosures for Data Subjects in Europe.

a. Roles.

Data protection laws in Europe distinguish between organizations that process personal data for their own purposes (known as “controllers”) and organizations that process personal data on behalf of other organizations (known as “processors”). Bungie, Inc. acts as a controller with respect to personal data collected as you interact with our websites, emails, and advertisements.

b. Lawful Basis for Processing.

If you are a data subject in Europe, we only process your personal data based on a valid legal ground, including when:

- you have consented to the processing of your personal data;
- we need your personal data to provide you with services and products;
- requested by you, or to respond to your inquiries;
- we have a legal obligation to process your personal data; or
- we or a third party, have a legitimate interest in using your personal data and your interests and fundamental rights and freedoms do not override those interests.

c. Data Transfer.

If you are a data subject in Europe, we will transfer your personal data subject to appropriate safeguards, such as Standard Contractual Clauses.

d. Your European Privacy Rights.

If you are a data subject in Europe, you have the right to:

- Request access to and receive information about the personal data we maintain about you, to update and correct inaccuracies in your personal data, to restrict or to object to the processing of your personal data, to have the personal data deleted, or to exercise your right to data portability to easily transfer your personal data to another company.
- Withdraw any consent you previously provided to us regarding the processing of your personal data, at any time and free of charge. We will apply your preferences going forward and this will not affect the lawfulness of the processing before your consent withdrawal.
- Lodge a complaint with a supervisory authority, including in your country of residence, place of work or where an incident took place.

You may exercise your rights by submitting a written request to us at the addresses set out in the “Contact Us” section above or by contacting our Data Protection Officer at dpo@bungie.com. We will respond to your request within 30 days. We may request specific information from you to help us confirm your identity and process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions.

Please note that we retain personal data as necessary to fulfil the purposes for which it was collected, and may continue to retain and use information even after a data subject request for

purposes of our legitimate interests, including as necessary to comply with our legal obligations, resolve disputes, prevent fraud, and enforce our agreements.